

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/KK

RIO CHAMA STREAM SYSTEM

Section 1: Rio del Oso &  
Rio Vallecito

Subfile No. CHRO-001-0002A

**APPLICATION FOR ENTRY OF DEFAULT**  
**IN SUBFILE NO. CHRO-001-0002A**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer, (“State”) and requests the Clerk of Court, pursuant to Fed.R.Civ.P. 55(a), to enter the default of the following named defendant for failure to answer or otherwise plead:

Defendant

Grace M. Gutierrez

Subfile No.

CHRO-001-0002A

Pursuant to the procedural order that guides this adjudication (Doc. 11119, filed 06/28/16), Defendant Grace M. Gutierrez was joined by publication of the notice of pendency of suit in the *Rio Grande Sun* published once a week for three consecutive weeks, beginning on August 11, 2016, and ending on August 25, 2016 (*see* Docs. 11156 and 11156-1, filed 09/27/16).

The undersigned certifies that no answer, appearance, or other pleading has been served upon the plaintiff’s attorneys.

WHEREFORE the State requests that the Clerk of Court enter a Certificate of Default of

the above-named defendant and, pursuant to this Court's February 4, 2013 *Order* (Doc. 10891), mail a copy of the Certificate of Default to Defendant Grace M. Gutierrez at the following address:

Grace M. Gutierrez  
P.O. Box 863  
Española, NM 87532

Respectfully Submitted,

/s/ Felicity Strachan  
Felicity Strachan  
Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 819-1044  
felicity.strachan@state.nm.us

**Certificate of Service**

I certify that on September 19, 2018 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

Additionally, I have mailed a copy of this application to Defendant Grace M. Gutierrez at the following address:

Grace M. Gutierrez  
P.O. Box 863  
Española, NM 87532

/s/ Felicity Strachan  
Felicity Strachan